



Docket No.: OKA-0233
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Koki ENDO

Application No.: 10/578,926

Confirmation No.: 2204

Filed: May 9, 2006

Art Unit: 1656

For: METHOD OF POSTTRANSLATIONAL
MODIFICATION BY ADDING
MYCROSOMAL MEMBRANE IN CELL-
FREE PROTEIN SYNTHESIS

Examiner: A. U. Desai

RESPONSE TO RESTRICTION REQUIREMENT

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the restriction requirement set forth in the Office Action mailed May 31, 2007 (Paper No. 20070524), Applicant hereby provisionally elects Group I, claims 1-39, with traverse, for continued examination. Applicant also elects, with traverse, *insect cells*, as the Species for prosecution on the merits. Applicant believes that claims 1-14, 20-33 and 39 are readable on the elected subject matter.

Please note that Applicant reserves the right to file divisional applications covering the subject matter of the non-elected claims. Applicant also reserves the right to rejoin any applicable non-elected claims.

Applicant traverses the Restriction Requirement since the examination of the claims of Groups I-II and the noted Species poses no undue burden on the Examiner. Under §803 of the Manual of Patent Examining Procedure, if the search and examination of an entire application can be made without serious burden, the Examiner **must examine it on the merits, even though it includes claims to independent or distinct inventions**. Thus, it is respectfully submitted that the search and examination of the entire application could be made without serious burden (see

MPEP §803 in which it is stated that *“if the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions”*)

It is respectfully submitted that this policy should apply in the present application in order to avoid unnecessary delay and expense to Applicants and duplicative examination by the Patent Office.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 18-0013, under Order No. OKA-0233 from which the undersigned is authorized to draw.

Dated: June 29, 2007

Respectfully submitted,

By 
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